

Area: Europe - ARI Nº 102/2004
Date 5/28/2004



Tony Blair and the UK referendum on the European Union's constitutional treaty (ARI)

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Theme: The author examines the British government's decision to put the European Union's constitutional treaty to a referendum of the British people and the risks this entails for its eventual ratification.

Summary: Tony Blair's announcement in April that parliamentary approval of the constitutional treaty will be followed by a referendum was an abrupt, opportunist and wholly unexpected volte-face. The referendum is also a very high risk decision because euro-sceptic forces have grown greatly in Britain since 1973, when the country joined the European Economic Community. Assuming EU leaders can overcome their differences on the constitutional text, securing a "yes" vote in Britain will require a vigorous campaign in support of the treaty. Here the auguries are not good: there was no attempt by the government to sell positively Britain's negotiating achievements in the Convention. Blair risks being remembered as a pro-European British prime minister who not only failed to take Britain into the euro but jeopardised the eventual entry into force of the EU's constitution.

Analysis: "I can only go one way. I've not got a reverse gear." That was the boast Tony Blair, the British prime minister, made to the annual conference of his governing Labour Party on September 30 2003.

Just over six months later, Blair discovered his reverse gear in one vitally important area of policy. On April 20 2004, he announced that Britain would hold a referendum on the planned European Union constitutional treaty after parliament had debated it in detail and decided upon it. In a remarkable turnaround from the government's previous position that a referendum would not be necessary because the constitution would not change fundamentally the UK's relationship with the EU, the prime minister announced his decision to "Let the people have the final say."

Blair's decision has ramifications that stretch far beyond Britain's shores. In the weeks before his announcement, the prospects for agreement on and eventual acceptance of the constitutional treaty had increased substantially. The election of the new Spanish government on March 14 lifted the blockage on discussion of the voting system in the Council of Ministers that had followed the failure of the European Council in December 2003.

Although difficult negotiations lay ahead at foreign minister level, it became reasonable to expect that the EU's leaders would succeed and agree a constitutional text – most

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probably at the European Council in Brussels on June 17-18. In a sense, they were doomed to success. The political damage of a second summit failure following that of last December would be too great to contemplate.

But Blair's unexpected change of mind on a referendum means the prospects for the constitutional treaty actually entering into force have become far less certain. The constitutional treaty needs to be approved by all 25 member states of the newly enlarged European Union.

Blair's gambit is hugely risky because the referendum will be very difficult to win. Even though the referendum may not take place until after the next UK general election, which is expected in the spring of next year, or after the UK presidency of the EU in the second half of 2005, it will be an uphill struggle to overcome the forces of euro-scepticism in Britain.

The growth of eurosceptic forces in Britain

The UK has not held a national referendum since 1975 and it is significant that the poll in that year was on the issue of whether Britain should remain a member of the European Economic Community, which it had recently joined. That plebiscite – the first and only national referendum to date - resulted in a "yes" vote. But the position for the pro-Europe lobby was in many ways more favourable than it is today.

In 1975, Britain had much to learn from Europe in economic terms. At that time, the UK was clearly the economic "sick man of Europe" with inflation of more than 25 per cent and the International Monetary Fund about to impose a stringent economic austerity programme in return for much needed credits. Although the rest of the EEC was, like Britain, suffering the effects of the 1973 oil shock, it had a track record of economic success.

Today, the economic picture is largely reversed. Parts of the Eurozone – and in particular Germany - lag behind Britain's economy. The performance in Germany, France and Italy in terms of economic growth and employment compares unfavourably with that of the UK.

The political conditions are also very different today. Largely because of developments outside the EU's control, the British electorate is at best ignorant of and more often alienated from the European Union.

Eurobarometer polls point to a woeful lack of understanding in the UK about the EU, what it does and what it stands for.

Since 1975, there has been a constant barrage of negative reporting about the EU in a large section of Britain's press that has left its mark on British public opinion. The eurosceptic bias of the influential British print media has grown. The tradition of objective news reporting has declined.

This is particularly true of the newspapers owned by Rupert Murdoch, the Australian born press baron who took US nationality to be able to acquire television stations in the US. He controls the Sun, the most powerful "tabloid" daily. Traditionally right wing, it supported Blair before his landslide election victory in 1997 and subsequently boasted that it had won the election for the prime minister. Blair and his ministers have since made it a high – if not overriding - priority of government to stay in the good books of the Sun.

Murdoch owns the Times and has done since the early 1980s. It is no longer the "establishment" newspaper, as it was before his ownership, but it is still influential. Other important eurosceptic voices among the press are the Sunday Times and News of the

World (also Murdoch owned); the Daily and Sunday Telegraphs and the Daily Mail and Mail on Sunday. These newspapers far outsell their pro-European (but not uncritical) rivals: the Guardian, the Independent and the Financial Times.

Blair's decision to call a referendum is problematic on other grounds.

Although the wording of the question will not be known until much closer to the referendum, it will not be easy to find an appropriate formulation to cover an issue as complex as the constitutional treaty. In 1975, all people had to decide was whether or not the UK should stay in the then EEC.

Blair is aware of this difficulty. He wants the referendum to be a plebiscite over UK membership of the EU to overcome ignorance about the finer points of the treaty.

As he told the House of Commons on April 20: "The question will be on the treaty. But the implications go far wider. It is time to resolve once and for all whether this country, Britain, wants to be at the centre of European decision making or not; time to decide whether our destiny lies as a leading partner and ally of Europe or on its margins."(1)

Deeper differences between Britain and its EU partners

Fine words, but the prime minister will face daunting hurdles. In particular, the popular view in the UK of the European Union is underpinned by historical exceptions and perceptions that, in some cases, have taken on power of myth. This is a situation that the media, as described above, does little to correct.

The first historical exception is the Second World War. Britain emerged on the winning side. It was never occupied. It never suffered the brutal loss of sovereignty that occupation entails and that most other EU member states have suffered.

Unfortunately, Britain has never realised that it was as much a loser from the Second World War as any of the other European belligerents. The country was effectively bankrupt by 1945, the vast financial reserves accumulated during the years of industrial supremacy in the 19th century under new ownership in Fort Knox.

Hanging on (just) to a place at the top table, the nation comforted itself by believing it had a "special relationship" with the United States, a belief that continues in Downing Street to this day.

Today, the Second World War is a depressingly strong feature of British cultural life. History equates to Hitler – no more, no less - in the minds of many young people. The war is re-fought almost daily in the broadcast media.

But the Second World War's important legacy, when considering the constitutional treaty and the referendum, is that issues of sovereignty (and the feared loss of it) play a much bigger role in British politics than they do in many other EU member states.

The second historical exception concerns the timing and circumstances of British entry into the Union. Uniquely among today's member states, Britain was rejected when it applied to join the club in the 1960s. When the UK did finally join the EEC, the years of early, strong economic growth had given way to stagnation, inflation and rising unemployment. Unlike the founding nations and most later joiners, entry into the EU was not associated with a "success experience" in the UK.

A German friend once explained how he associated Europe with positive feelings because in the late 1950s it meant the arrival of plentiful and cheap oranges in German shops.

In the UK, membership of the EEC brought complaints about rising food prices, which were not assuaged by the artfully managed “renegotiation” of membership in the mid-1970s during the premiership of Harold Wilson.

Indeed, Wilson’s renegotiation turned out to be a sham. It left serious issues, such as the excessive UK budget contributions, unaddressed. These were tackled by an altogether more abrasive prime minister – Margaret Thatcher – in the 1980s in a bruising campaign that accentuated the difference in attitude between Britain and other members of what was by then the European Communities.

Another important and enduring historical influence has been the failure of the UK political class to make clear the political nature of the European project to the British people at the time of joining the EEC. Britain entered the EEC on a false prospectus. It was always known in the UK as the “Common Market” – indicating an overwhelmingly economic purpose.

When members of the European Communities pursued a political agenda, commentators were quick to cry foul and raise the spectre of a “superstate”, that sought to trample on ancient liberties.

The myth in the UK of the European Union as a superstate has proved impossible to eradicate. Little credence is given to the counter argument that the superstate, if ever it were on the agenda, has been in retreat as a realistic scenario for the EU since the Maastricht Treaty.

Instead, the superstate myth gives opponents of the constitutional treaty an immensely strong platform from which to operate. If provisions in the treaty are evaluated in the context of a Europe moving towards a superstate or “ever closer union,” they appear far more of a threat to the status quo in Britain than if they are evaluated in the light of the EU as it is: a confusing hybrid of the federal and the intergovernmental in which governments pool some powers and retain others to cooperate on policies, and which draws its legitimacy from the Community and the member states, with the citizen represented in both.

The superstate myth informs much of what passes for debate on the constitutional treaty in the UK.

A typical example surfaced in May 2003, when the Daily Mail (circulation 2.4million; 5.7 million readers daily) decided to shock its middle class readers over breakfast with the front page headline: “a Blueprint for tyranny”(2).

“Stealthily and slyly. A European constitution is today being created that will destroy Britain’s independence, indeed its very identity”, it said. The constitution in preparation would “mark the end of everything we understand by the terms British and Britishness. There will be no more national sovereignty, no more meaningful election to Westminster, no freedom independent of our European partners.”

A week later(3), the Sun (circulation 3.3million; 8.9 million readers daily) launched the first of many broadsides against the constitution.

With the words "Save our Country" emblazoned across the UK's Union Flag and pictures of Queen Elizabeth I, Admiral Lord Nelson and Winston Churchill across its front page, the newspaper summed up the UK's achievements in the previous 500 years as follows. "1588 we saw off the Spanish. 1805 we saw off the French. 1940 we saw off the Germans". Below, next to an unflattering picture of the prime minister, the headline screamed: "2003 Blair surrenders Britain to Europe."

But instead of surrendering Britain to Europe, Blair has capitulated to the eurosceptic press.

Reading the eurosceptic media in Britain today, it is impossible to believe that at the end of the Convention, most *conventionnels* thought Britain had secured a very favourable deal. Thanks to hard work and skilled negotiation, Peter Hain, the government's representative, had largely secured what the government would call its "red lines". These are issues such as tax, social security, areas of criminal law procedure, the UK's budget rebate and defence and foreign policy which the government insists must remain subject to unanimous votes in the Council, giving it a veto.

At the time, the generally successful outcome of the Convention was acknowledged by Blair himself in a government White Paper (4) outlining the British approach to the intergovernmental conference that began in autumn 2003. "Let me be clear," he wrote, "the Convention's end product – a draft constitutional treaty for the European Union is good news for Britain."

Although Blair – like most people, including Valéry Giscard d'Estaing, the president of the Convention – viewed the text as not perfect, he said the reforms proposed by the Convention "do not alter the fundamental, constitutional relationship between member states and the Union".

That was his position until April 20 2004. That was why the government – until then – steadfastly refused all calls for a referendum on the constitutional treaty.

So what happened to change his mind?

Pressures on Britain's prime minister

There is no doubt that a sharp increase in pressure for a referendum from the eurosceptic press and a somewhat revitalised opposition Conservative party played an important part in the prime minister's decision.

Blair admitted as much on April 20. He attributed his change of mind to the attacks made on the constitutional treaty and the need for the government "to confront head on" what he described as a "partially at least, successful campaign to persuade Britain that Europe is a conspiracy aimed at us rather than a partnership designed for us and others to pursue our national interest properly in a modern, interdependent world."

Another factor was the weakening of Blair's own political position. He has, in recent months, encountered at times damaging opposition inside the Labour party to his domestic UK reform agenda. The ongoing problems in Iraq have sapped his authority with the voters.

Against this background, more eurosceptical colleagues inside the government have gained in strength. The slippage of Blair's control over Europe's constitutional discussions was apparent during last autumn's IGC negotiations when the foreign secretary, Jack Straw, took charge of Britain's negotiations and introduced a more euro-wary tone. Straw has forged close ties with Gordon Brown, the Chancellor of the Exchequer and Blair's

long standing rival for the top job. When Brown thinks of foreign parts, he thinks first of the US. He contrived to find several hitherto undiscovered economic problems in the Convention draft.

But there was also a strong impulsive aspect to Blair's change of mind. It has since become clear that his decision was made without great discussion or consideration. It followed heavy lobbying by Straw. Blair didn't bother to consult his cabinet before having his intentions leaked to the Murdoch press: indeed he had to begin the cabinet meeting that gathered after the news became known with an apology.

Blair's announcement has produced some short term gains that may help Labour in the June European elections and perhaps in the general election expected next year. It has blunted the opposition Conservative party's attacks on the government over the referendum issue.

Given the unpredictable nature of modern politics, it is not impossible that the government will win the referendum. But at the very least, it should be campaigning vigorously for the constitutional treaty to try and change the widespread hostility to the EU in Britain. There is no sign of such a campaign, just as there was no orchestration of support for the Convention text following Hain's successful negotiations.

Despite the prime minister's fighting words on April 20, an underlying ambivalence has characterised the UK government's approach to the constitutional treaty. This ambivalence was all too clear in the British government's White Paper of last September on the constitutional text and the IGC. In this, Blair followed up his observation about the constitutional treaty being "good news for Britain" with the somewhat defensive remark: "The Convention text spells out that the EU is a union of nation states and that it only has those powers which governments have chosen to confer upon it. It is not and will not be a federal superstate".

On the one hand, the White Paper listed several positive features of the Convention draft that "will build an efficient, transparent and accountable EU, equipped to meet the challenges of the 21st century". But such positive views were hedged. The final sentence concluded on a downbeat note when it said "the government will not sign up to any treaty which does not, in its view, advance Britain's interests."

Conclusions: Ambivalence may be what history remembers of Tony Blair's policy towards the EU. It is uncertain that he will leave any positive legacy. Indeed, on his European record, Blair so far has remarkably little to show for seven years in office.

The man who has presented himself as the most pro-European British leader since Edward Heath (who led the UK into the EEC in 1973) has, it is true, made some constructive pro-EU speeches. Unfortunately most of them have been outside the UK, in places such as Warsaw.

Blair failed to take Britain into the euro at the height of his power in 1997 after his first landslide election victory. Now, in a much weaker position, he has announced the high risk venture of a referendum on the constitutional treaty. This move has placed a question mark over Blair's political judgement and raises new questions about his future as prime minister. But above all, it puts in peril the ratification of the constitution, which must take place in all 25 EU member states if it is to take effect.

Peter Norman, Author of "The Accidental Constitution: the story of the European Convention" published by EuroComment, Brussels: www.eurocomment.be.

References

- (1) Statement to Parliament on the EU White Paper and the EU Constitution.
www.number-10.gov.uk
- (2) Daily Mail, May 8 2003
- (3) The Sun, May 15 2003
- (4) "A constitutional treaty for the EU", September 2003, Cm5934.